

AMENDED IN ASSEMBLY APRIL 5, 2010

CALIFORNIA LEGISLATURE—2009–10 REGULAR SESSION

ASSEMBLY BILL

No. 1785

Introduced by Assembly Member Galgiani

February 10, 2010

~~An act relating to prisons.~~ *An act to add Section 5023.3 to the Penal Code, relating to prisoners.*

LEGISLATIVE COUNSEL'S DIGEST

AB 1785, as amended, Galgiani. Prisons: telemedicine systems.

Existing law, the Telemedicine Development Act of 1996, regulates the practice of telemedicine, defined as the practice of health care delivery, diagnosis, consultation, treatment, transfer of medical data, and education using interactive audio, video, or data communications, by a health care practitioner, as defined. Existing law establishes that it is the intent of the Legislature that the Department of Corrections and Rehabilitation operate in the most cost-effective and efficient manner possible when purchasing health care services for inmates.

This bill would state the Legislature's findings and declarations on the use of telemedicine in the state's prisons. The bill would require the department to require and maintain a statewide telemedicine services program, require an operational telemedicine services program at each institution, expand services delivered by telemedicine, require prisons to use the prison telemedicine program, as specified, expand the use of existing telemedicine resources, and establish and maintain an infrastructure to enable timely tracking and reporting of telemedicine services.

~~Existing law states that it is the intent of the Legislature that the Department of Corrections operate in the most cost-effective and~~

~~efficient manner possible when purchasing health care services for inmates.~~

~~This bill would state that it is the intent of the Legislature to later amend into this bill provisions that would require the prison system to utilize a cost-effective telemedicine system within correctional institutions.~~

Vote: majority. Appropriation: no. Fiscal committee: ~~no~~-yes.
State-mandated local program: no.

The people of the State of California do enact as follows:

1 *SECTION 1. The Legislature finds and declares all of the*
2 *following:*

3 *(a) It is the intent of the Legislature to require the Department*
4 *of Corrections and Rehabilitation to implement and maintain the*
5 *use of telemedicine in state prisons.*

6 *(b) Telemedicine provides an opportunity to bid out contracts*
7 *to a larger pool of physicians licensed to practice across the state,*
8 *rather than only to those contract physicians practicing in the*
9 *region of a specific prison.*

10 *(c) Telemedicine improves inmates' access to health care by*
11 *enabling correctional systems to expand their provider network*
12 *to include physicians located outside the immediate vicinity of*
13 *prisons, particularly for inmates housed in remote areas of the*
14 *state with shortages of health care.*

15 *(d) The department's prison telemedicine program began in*
16 *1997 as a pilot project for mental health inmates at Pelican Bay*
17 *State Prison and was successful at improving inmates' access to*
18 *mental health care. Accordingly, the department decided to expand*
19 *the program to provide mental health as well as medical specialty*
20 *services at other prisons. Currently, all of the state prisons are*
21 *equipped to provide basic telemedicine services.*

22 *SEC. 2. Section 5023.3 is added to the Penal Code, to read:*

23 *5023.3. In order to maximize the benefits that come with the*
24 *use of telemedicine in the state's prisons, the department shall do*
25 *all of the following:*

26 *(a) Require and maintain a statewide telemedicine services*
27 *program.*

28 *(b) Require an operational telemedicine services program at*
29 *each institution.*

1 (c) *Expand services and encounters delivered by the*
2 *telemedicine services program.*

3 (d) *Require prisons to use the prison telemedicine program for*
4 *medical consultations when authorized by utilization management*
5 *to be conducted via telemedicine.*

6 (e) *Expand the use of existing external telemedicine resources.*

7 (f) *Establish and maintain an information technology support*
8 *infrastructure to enable timely tracking and reporting of*
9 *telemedicine services.*

10 ~~SECTION 1. It is the intent of the Legislature to later amend~~
11 ~~into this bill provisions that would require the prison system to~~
12 ~~utilize a cost-effective telemedicine system within correctional~~
13 ~~institutions.~~